

# THE SALT LAKE HERALD

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89	8,600	98	8,800
90	8,600	99	8,800
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★ Largest Daily and Sunday circulation in Salt Lake proved by investigation. ★

## CONSTITUTIONAL, BUT—

In the famous "commodities clause" decision of the supreme court, one is forcibly reminded of that justly celebrated ditty:

"Mother, dear, may I go swim?  
Yes, my darling daughter;  
Hang your clothes on a hickory limb,  
But don't go near the water."

The court holds that the Hepburn rate law is valid in forbidding a railroad company to transport between states commodities, other than timber, "manufactured, mined or produced by it, or under its authority, or which it may own in whole or in part, or in which it may have any interest, direct or indirect." So far, so good; but the court upsets the government interpretation by holding that a railroad company may own stock in a corporation which does these things and still transport the commodity without interference from the law. In other words, the Denver & Rio Grande could not haul from Utah into Nevada from mines it owned outright, but it can haul the coal of the Utah Fuel company, whose stock it controls, just as the Union Pacific can haul the coal of the subordinate company which it controls in Wyoming.

In other words, the law is constitutional, but it prohibits none of the things which the government contended it would prohibit so long as there is a subsidiary company to own the commodity and produce or manufacture it. Along with the Standard Oil fine, the Santa Fe fine and the other exploits which were heralded as the great achievements of the Roosevelt administration, this commodities clause goes to the limbo of bogus victories.

## GOOD TEAM WORK.

Chronicle kickers to the contrary notwithstanding, we still think Salt Lake's business men can do prettier team work for a public benefit than any set of rustlers this side of Chicago. Take, for instance, the committee in charge of the campaign for the Y. M. C. A. funds: it is after \$150,000, and is going to get it. Just as a sort of warning heat, subscriptions for about one-fourth the total sum were raised in the committee before it asked anybody outside to contribute. With a running start like that, there can be no doubt about the final result.

The beauty of the showing is that it demonstrates the ability of the people to get together if it seems desirable. There has been no discussion about men's politics or religion, or the cut of their hair; if a good man is in sight and is needed to work, he gets a call and he gets in line. That's all there is to it. The presiding bishop of the Mormon church works in harness with the presiding contractor of the "American" party, and they both pull up in the collar for the good of the boys of Salt Lake. Hard-headed financiers and soft-hearted philanthropists; busy men and men of leisure; red-hot sports and men who don't know a base hit from a foul fly, all of them know the Y. M. C. A. is the biggest thing the community has to look after just now—so they are looking after it.

Some of these days it will dawn on the people of Salt Lake that the principle of team work might be a good thing in the city's own affairs, and then the day of the professional storm-starter will be about over.

Speed the day! Also, subscribe for the Y. M. C. A.

## THE FOREIGNERS BENEFITED.

Arthur Hawkes of Toronto, an official of the Canadian Northern railway, recently delivered an address to the Chicago Advertisers' association. In the course of his remarks, he said that more than \$125,000,000 of the capital of American manufacturers is now invested in plants in Canada, the result of the tariff wall erected by the United States in 1860.

Mr. Hawkes thinks it idle to suggest that this tariff wall will ever be removed, and he also thinks it is of great benefit to the Dominion, when hundreds of millions of capital are invested over the line, employment given to thousands of laborers, skilled and otherwise, and goods sold more cheaply to consumers than they are on this side of the border. Certainly the Canadians have no cause to complain of the workings of the tariff just at present.

Mr. Hawkes enlightened his hearers further, as follows:

"It might be supposed that the existence of a Canadian tariff wall meant that the American was not wanted. That is true only in a limited sense. It means that the American manufacturer is wanted to make goods in Canada. From that point of view the tariff wall had done good. It has at least been followed by business transactions which have been enormously to the advantage of innumerable United States firms. For, whereas the people of the United States purchase annually about 80 cents' worth of goods apiece from Canada, the Canadians purchase an average of \$24 worth of goods apiece from the United States during each year."

"In eastern Canada alone there are over 120 branches of American manufacturing houses, and in the west the American had got an astounding proportion of the good things that were going—including loyalty to Canadian institutions. We still buy about 11 per cent of the goods exported from the United States to foreign countries. According to population, we are the best customers Uncle Sam has, or is likely to have. We love John Bull, and buy from him as much stuff as he will make, according to our likes. We buy more from Uncle Sam—in January to October, 1908, it was \$147,000,000 against \$56,000,000—because he makes more things in the way we Canadians are accustomed to."

Not only have the American manufacturers established plants to the amount of \$125,000,000, but they have also located factories, workshops and mills in the various European countries, where the foreign laborer is given employment and goods placed on the European market in competition with the native products.

And, in the meantime, the same brands of goods cost twice as much on this side of the water under the protective tariff system which is calculated to preserve the home market to the manufacturers, who employ foreign laborers at home as well as abroad, the money earned being sent to Italy, Greece, Austria and other countries to the amount of many millions each year.

The home market is a good thing for the fellow who does the milking of the tariff cow.

## IN THE INTEREST OF UTAH.

One of the great incidental advantages to this city of the G. A. R. encampment is in the widespread publicity of a desirable nature it is giving to Salt Lake. Next to the Seattle exposition, the encampment is the biggest thing the country will see this summer. It is an auxiliary attraction of the exposition, because its rates offer inducements for travelers to the big show to come through Salt Lake either going or returning.

As a result of this happy combination of circumstances, the railroads of the country are advertising the city as they never have before. The Denver & Rio Grande leads the way with one of the most beautifully illustrated booklets any road ever published, picturing the scenery and attractions of Utah and its capital, and describing in alluring text the charms the tourist will find in his journey this way. The booklet refutes completely the criticism The Herald made something like a year ago, that the Rio Grande had overlooked Utah in its advertising literature, and it goes to so many thousands of people east that it ought to prove an invaluable aid in the success of the encampment.

## G. A. R. ENCAMPMENT.

Governor Spry has issued a timely and well-worded proclamation concerning the encampment of the Grand Army of the Republic in this city next August. While there has never been any doubt regarding the cordiality of the welcome to be extended to the veterans of the civil war, there are many material things to be accomplished prior to the arrival of the hosts of soldiers and summer visitors. Everything possible should be done to insure the comfort and safety of the strangers within the gates.

On behalf of the state, the governor asks that a ready response be made to all appeals for help in the matter of providing comfortable quarters and entertainment for all who come. Let us all join in the movement and failure is impossible.

Those councilmen are a queer lot; they think it strange the taxpayers of Seventh East should want parking in the middle of their street, when parking will cut down the cost of the paving and, incidentally, make the street more beautiful. Why shouldn't they want parking? And why should the council object?

Great Salt Lake is a foot higher than it was a year ago, and much higher than it has been for a number of years, with the June floods yet to come. Where are the prophets who told us irrigation would ultimately reduce the lake to a desert of sand and salt?

Representative Howell was "pleased to say" that the Payne bill "in the main is a very satisfactory law." Few people agree with Howell in his opinion, and the chances are that he shaded the truth when he wrote it.

Isn't there something wrong about the announcement that the Doyle firm got that big city contract for laying pipe? Or didn't Moran want the job?

A few more decisions in the Hepburn law and "there won't be no core to that apple."

Mr. Taft's continued and oppressive silence sounds like a man who is too busy to say much.

# CAPITAL PUNISHMENT

BY FREDERIC J. HASKIN.

The execution of five negroes, practically together, for two murders in Powhatan, Va., is probably the record for the administration of capital punishment in the United States. It was planned to execute all of the condemned on April 20, but the nerve of the superintendent of the Richmond penitentiary appears to have forsaken him. Governor Harrison listened to his plea that he could not execute more than two men in any one day, and postponed the execution until May 7. One would think that the prison official would have preferred to finish his grisly task all at once.

Virginia is the latest state to adopt electrocution as its form of capital punishment. The first was New York, then the Empire State came Massachusetts, Ohio and New Jersey. Minnesota and other states have considered the adoption of the electric chair. There is a general tendency in that direction. The reason for the substitution of electrocution for hanging as a means of punishing capital crimes was that the new method of inflicting the death penalty was supposed to be painless and therefore more humane than hanging.

For years, however, there have been many people who expressed their disapproval by any means and that in fact it is most barbarous. They insist that nobody ever dies in the chair, but that the passage of the current through the body merely suspends the vital functions and that the condemned man is actually killed by the autopsy performed after the electrocution. These are questions which must be settled.

The United States is the only country in which capital punishment is administered by electrocution. In France the guillotine has been used except for a short intermission to punish capital crimes ever since the days of the French revolution when Dr. Guillotine proposed the adoption of this method, which he claimed was painless. The French doctor borrowed his name from the guillotine, but he was not a doctor, and he never killed anybody. He was a philosopher.

Recently, after ten years of idleness, the guillotine has been called into action, with a prospect of beheading twenty-five criminals within a few weeks. The responsible French officials have long been opposed to capital punishment, but they had to yield to the public demand that extraordinary steps be taken to check the existing reign of violence and crime. The guillotine was used again at Bethune with a quadruple execution. An immense crowd was present and thousands of troops were necessary to quell the riot which the legalized bloodshed incited. Somebody took moving pictures of the affair. The authors sought to prevent him and later seized the films, but the photographer escaped, supposedly to America. At first the heads were sent to fall and other cities clamored for the guillotine.

Hanging is the most common form of execution. It prevails in Great Britain and her colonies and in many other countries. In Mexico the method is shooting, and in Germany it is the gallows. In Spain the garrote has been used ever since the Moorish conquest. This method of execution was practiced in the Philippines and Cuba before the Spanish-American war. The garrote consists of a heavy metal collar attached to a post. The collar is fastened around the criminal's neck, and a screw is turned, which pierces the victim's spinal column where it connects with the brain. Death is instantaneous. In China the executioner wields the sword while two assistants stretch the culprit's neck.

For a century there has been a tendency all over the civilized world to lessen the number of capital offenses, to make the infliction of the death penalty as humane and secret as possible, and finally to abolish capital punishment altogether. The United States has followed this trend. In 1864 there were twenty-five capital offenses under the military code of laws, twenty-two under the national code, and under the extra-territorial jurisdiction of consuls, and seventeen under the civil code. In the fifty-second congress the number was reduced to three—murder, rape and treason. Such crimes can only be punished under the federal law if committed in territory or on national reservation, or at sea. In 1906 Virginia headed the list of states with eight capital offenses, Louisiana and seven, Mississippi and Delaware each six. In most states murder is the only capital crime. Other capital crimes in America are kidnapping, arson, piracy, etc. In a century ago there were 200 capital crimes, so-called, including such comparatively minor offenses as stealing apples, counterfeiting, forgery, and so on. Now there are said to be only two—murder and treason.

The wholesale executions that marked the ancient Roman persecutions, the Spanish Inquisition, St. Bartholomew's day, the French revolution and the Russian wars and insurrections of many centuries, have gone, it is to be hoped, never to return. Rarely now does an execution constitute an occasion for a public holiday, feasting and rejoicing, as was the case in the old days. Most modern nations, including the United States, have agreed that executions should be as private as possible. Publicity, the keynote of present day life, is not applied to infliction of the death penalty.

There are five states where capital punishment does not exist—Maine, Michigan, Rhode Island, Wisconsin and Kansas. In the last named state the death penalty may be inflicted upon a warrant of the governor, but such a warrant is never signed. Iowa abolished capital punishment some years ago, but re-enacted it after the number of murders in the state increased. Colorado abolished the death penalty in 1907. Shortly afterwards there was such an outbreak of rioting, murders and lynchings that the law was amended in 1901 so that a jury can inflict either a death penalty or life imprisonment. Capital punishment is not practiced in Portugal, Holland, Roumania, Finland, Costa Rica, Venezuela, Brazil, Ecuador, Guatemala, most of Switzerland, and practically not in Belgium and Italy. Russia abolished capital punishment in 1902, except for political offenses, but the law is interpreted so liberally that during the first six months of 1906 1,294 executions are said to have occurred without trial in the Lettish region alone. The czar's officials dealing mercilessly with alleged revolutionists.

Decapitation has always been, considered a gentleman's death. Under the Mo-saic law "an eye for an eye, and a tooth for a tooth." The Hebrews punished by burning many offenders. Later on that method was reserved for heretics, incendiaries, victims of the witchcraft superstition in Europe and New England, and other unfortunates. Highways and other main thoroughfares were lined by hundreds and in many cases their bodies were left hanging on the gibbet until they fell to pieces, as a warning to would-be criminals.

Poisoning was, more or less, legal on the continent during the middle ages, but in England it was punished by boiling the prisoner alive. The alleged traitor to "scavenger's daughter," which compressed a human being into a ball; tearing the flesh with hot pincers; flogging with the cat-o-nine-tails; breaking on the wheel; stoning, torturing with hot lead and boiling; placing the victim in a tub of molten lead, or in a ducking stool, and all sorts of mutilation were approved forms of punishment. A Roman general, captured from the Carthaginians, was put in a sack into which spikes were driven from all sides. King John executed a clergyman who had offended him, in a garment of lead, where he died.

generals, princes, statesmen, scientists and churchmen have forfeited their lives under form of law. In recent generations few women have suffered the death penalty. During the nineteenth century only three were hanged in England. Only two women are said to have been electrocuted, one being Mrs. Mary Farmer who was hanged for the murder of her crime in New York. A Mrs. Rogers was hanged in Vermont and several years ago there is a negro living in Mississippi who is legally dead. He was hanged for a certain number of minutes, as the law then provided, but failed to die, as the law did not contemplate. Since then the law has been amended. The executioner is in a class by himself in continuous though all men of refinement and intellect. The executioner during the Reign of Terror, made the unequal record of 62 executions in 45 minutes.

Without capital punishment, life imprisonment would be meted out to serious offenders. Then penal colonies would be in demand, such as France maintains in Devil's Island and Guiana; Great Britain in the Cape of Good Hope, the Seychelles, Italy, in the Lipari Isles; Germany, in Oceania and Africa, and Russia, in Siberia. (Copyright, 1909, by Frederic J. Haskin.)

Tomorrow—Progress in Therapeutics.

# SOCIETY

Miss Joy Witbeck was the hostess yesterday at a very pretty luncheon for ten young girls, given in honor of her friend, Miss Merle Taylor, who leaves tonight for the coast. The Witbeck home was made bright by flowers and everything was in rosy pink and green. Pink roses and lilies of the valley decorated the luncheon table, and place cards were of the same roses, hand-painted. A cloth of lace was laid over the same shade, and rose bon bon boxes were at each place. Following the luncheon a musical guessing game was played, when Miss Taylor and Miss Alice Spry won the prizes. Miss Alice Witbeck assisted in entertaining. The other guests were Miss Vera Cutler, Miss Amy Farnsworth, Miss Susie Hampton, Miss Genevieve Wright, Miss Eliza Rogers, Miss Mildred Miles and Miss Aline Taylor.

The Authors' club entertained at an unusually delightful affair last evening at the home of Mrs. W. W. Ritter, when several musical numbers were given by M. J. Brines, Miss Edith Kingsbury, Miss Edith Grant, Miss Edith Young and Miss Maud Ritter. Mrs. Brines and Tracy Y. Cannon accompanied the singers and gave the instrumental selections.

The engagement has been announced in New York of Miss Frances Dyer Clark, daughter of Senator and Mrs. Clarence D. Clark of Wyoming, to G. Herbert Chapman of Boston. Miss Clark has frequently visited here, having spent some time as the guest of Dr. and Mrs. Jack Keith and his sister, Mrs. Charles Blyth.

Mrs. W. W. Mackintosh and her mother, Mrs. Mary Young, have returned from a delightful visit to the coast. They spent some time in Los Angeles and vicinity and later went to San Francisco, where they visited the Schweitzer family. Mrs. Kate Y. Hall, who accompanied them, remained for a longer stay with her sister, Mrs. Schweitzer.

Mrs. J. C. Hanchett entertained the members of the two old card clubs, the Third Street and the Bridge club, yesterday afternoon at cards. For the benefit of players enjoyed the afternoon, and following the game Mrs. W. T. Benson and Miss Olive Benson assisted Mrs. Hanchett at tea. Prizes were won by Mrs. Clarence Warnock and Mrs. A. B. Hirth.

Mrs. Bryan Conrad was the hostess



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Bids fair to completely outdistance everything else in the race for supremacy among popular priced candies. Daintily gotten up in a truly characteristic Oriental box. It's a "Winner."

**25c**  
AT ALL DRUG STORES  
"Count It Good if Sweet Makes It"

**KEITH O'BRIEN CO.**  
The best way to test the merit of an article is to try it.

That is why we are giving away samples of "Eversweet," a pleasant application which overcomes and prevents odors arising from the body. Ask for a sample at the toilet section.

**"The Giant" is a large cake of Glycerine Soap**

Good quality and long lasting. It sells at 10c and 3 for 25c.

**Syringes and Hot Water Bottles**  
The weather suggests "good old summer time." Notwithstanding, there is a steady call for rubber goods: hot water bags and combinations, syringes, etc. We carry only the best known makes, the kind that give satisfaction—or the purchase price refunded.

**Solid Gold Jewelry at Half Price**  
Cuff Pins, Beauty Pins, Waist Sets and Collar Pins. The Waist sets are solid gold front.

**A lot of Ladies' Belts at 10c—to close out.**  
Values are up to 50c

**May Oxford Bargains**  
\$3.95 Twenty styles Wright, Peters Co. Women's Oxfords, in all leathers that sell regularly at \$5.00.

\$3.35 Twenty styles in Women's Oxfords in tans, browns, gun metals, patents and vici kids—they have the style of \$5.00 and \$6.00 grades.

\$2.95 Boys' Oxfords, gun metal calf, tan Russia calf, patent colt. Stylish mannish lasts, regular \$3.50 and \$4.00.

\$1.25 Misses' and Children's strap Slippers—in tan, patent or kid, regular \$1.75 and \$2.00.

**Give us time and we will do it well**  
We refer to the repairs needed on your watch. It takes more time to do a thing well than to do it badly, and of course costs more; but the cost is never out of proportion to the satisfaction gained in having your fine time piece handled by one who knows how.

Our workmen know how, and no watch is too complicated for them to overhaul.

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Tablets conquer all nervous diseases in men or women, renew vitality in old and young, rebuilding the rundown nervous system. The result is soon apparent in a full renewal of the old-time zest and joy of living. 2c box, 5 for \$2.50. Phones 457. Remember the number.

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